

LAVELY & SINGER

PROFESSIONAL CORPORATION

JOHN H. LAVELY, JR.
MARTIN D. SINGER
BRIAN G. WOLF
LYNDA B. GOLDMAN
PAUL N. SORRELL
MICHAEL E. WEINSTEN
EVAN N. SPIEGEL
TODD S. EAGAN
ANDREW B. BRETTLER
ALLISON S. HART

ATTORNEYS AT LAW
SUITE 2400
2049 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2906
TELEPHONE (310) 556-3501
FACSIMILE (310) 556-3615
www.LAVELYSINGER.com

T. WAYNE HARMAN
DAVID B. JONELIS
MELISSA Y. LERNER
HENLEY J. HANSEN
JAKE A. CAMARA

HENRY L. SELF, III
OF COUNSEL

* ALSO ADMITTED IN NY
* ALSO ADMITTED IN NY AND NJ

LEGAL NOTICE
IMMEDIATE ATTENTION REQUIRED

November 30, 2018

VIA EMAIL: [REDACTED]
& FEDERAL EXPRESS

Gary King
[REDACTED]

Re: Robbins Research Int'l., Inc. / Gary King
Our File No. 1470-281

Dear Mr. King:

This firm is litigation counsel on behalf of Anthony Robbins and Robbins Research International, Inc. ("RRI").

We have been informed by several individuals that you are the source of false and malicious information and rumors that have been provided to on-line publication *BuzzFeed* pertaining to Mr. Robbins and RRI. Among other false and fabricated rumors you have supplied to *BuzzFeed* are accusations that: Mr. [REDACTED]

Each of the aforesaid rumors and accusations you have maliciously conveyed to *BuzzFeed* are false and misinformed. Although you may have understood that your identity as the source for the aforesaid false, malicious and defamatory accusations would be kept confidential by *BuzzFeed* and the persons you made the disclosures to, you have been identified by [REDACTED] and several individuals during the course of our extensive investigation as the source of the false and defamatory rumors and accusations pertaining to Mr. [REDACTED]

Gary King
Re: Robbins Research Int'l., Inc. / Gary King
November 30, 2018
Page 2

Robbins and RRI that may now be included in an article by *BuzzFeed*. Accordingly, should litigation become necessary to protect and enforce our clients' rights, you can expect to be named as a defendant in that action and as the source of the false and defamatory statements that may be included in the *BuzzFeed* article.

What makes your vicious and false accusations pertaining to Mr. Robbins and RRI even more egregious is the fact that you were affiliated with RRI as an independent contractor for many years, and you have acknowledged publicly that at a point in your life where you were considering suicide and had a near-death experience, Mr. Robbins changed your life for the better, providing you with the instruction, confidence, experience and insight, to become a successful coach, motivational speaker, author and entrepreneur. Instead of thanking Mr. Robbins for providing you with the foundation, insights and motivation to turn your life around and create your own business venture as a life coach, motivational speaker and author, you have maliciously and viciously attacked Mr. Robbins by supplying false and malicious rumors and information to *BuzzFeed* and other persons with the express intent and motivation that the false rumors and information provided by you would be published by *BuzzFeed* in order to damage the career, business and reputation of Mr. Robbins and RRI. Your conduct has significant consequences and if not immediately remedied, will result in your potentially being found liable for causing millions of dollars of damages to Mr. Robbins and RRI for defamation, trade libel and interference with contractual relations between RRI and its customers.

First and foremost, your spreading false and malicious rumors and accusations regarding Mr. Robbins and RRI to *BuzzFeed* constitutes defamation. California Civil Code § 46 defines slander as: "[A] false and unprivileged publication, orally uttered,...which (3) Tends directly to injure him in respect to his office, profession, trade or business, either by imputing to him general disqualification in those respects which the office or other occupation requires, or by imputing something with reference to his office, profession, trade or business that has a natural tendency to lessen its profits;... [and] (5) Which, by natural consequence, causes actual damage." The definition of defamation "is very broad and has been held to include almost any language which, upon its face, has a natural tendency to injure a person's reputation, either generally, or with respect to his occupation." *Bates v. Campbell*, 213 Cal.4th 38, 2 P.2d 383 (1931); *Milkovich v. Loraine Journal Co.*, 497 U.S. 1, 110 S.Ct. 2695 (1990); *Selleck v. Globe International, Inc.*, 166 Cal.App.3d 1123, 212 Cal.Rptr. 838 (1985). Here, obviously, your false accusations made to *BuzzFeed* that Mr.

Gary King
Re: Robbins Research Int'l., Inc. / Gary King
November 30, 2018
Page 3

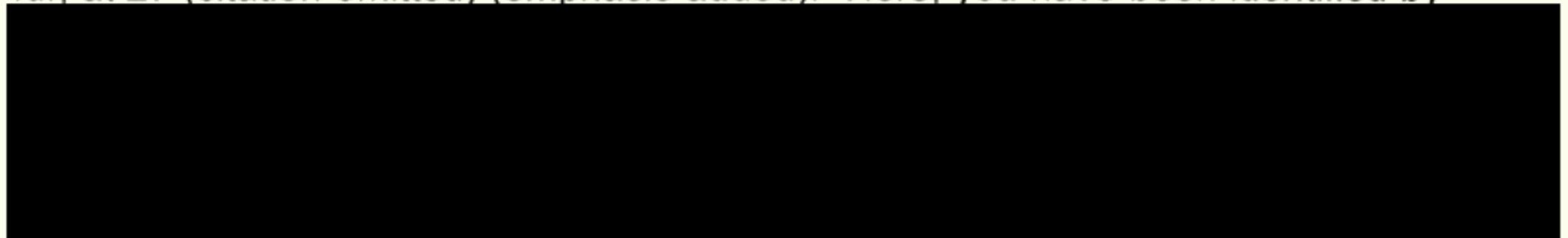
false statements of fact that would have a natural tendency to harm Mr. Robbins and RRI's reputation and brand.

Your false accusations regarding Mr. Robbins and RRI also constitute trade libel, which will subject you to significant damages. Trade libel is the publication of any false matter disparaging the quality, characteristics and/or content of another's services or product, which the publisher should recognize is likely to cause pecuniary loss to the owner. *City of Costa Mesa v. D'Alessio Investments, LLC*, 214 Cal.App.4th 358, 376, 154 Cal.Rptr.3d 698, 712 (2013); *Franklin v. Dynamic Details, Inc.*, 116 Cal.App.4th 375, 10 Cal.Rptr.3d 429 (2004). Trade libel is found where a person intentionally disparages a business venture (in this case RRI's treatment of its employees) that results in pecuniary damage. *ComputerXpress v. Jackson*, 93 Cal.App.4th 993, 113 Cal.Rptr.2d 625 (2001); 5 Witkin, *Summary 10th* (2005) Torts Section 645. The tort of trade libel encompasses all "false statements concerning the quality of services or product of a business which are intended to cause that business financial harm and in fact do so." *City of Costa Mesa v. D'Alessio Investments, LLC*, 214 Cal.App.4th 358, 376, 154 Cal.Rptr.3d 698, 712 (2013); *Leonardini v. Shell Oil Co.*, 216 Cal.App.3d 547, 264 Cal.Rptr. 883 (1989).

In addition to claims of defamation and trade libel, you will be held liable for all damages caused by your propagating false and defamatory rumors regarding Mr. Robbins and RRI to *BuzzFeed* and others. See for example, *Khawar v. Globe International, Inc.*, 19 Cal.4th 254, 79 Cal.Rptr.2d 178 (1998); *Osmond v. Ewap, Inc.*, 153 Cal.App.3d 842, 200 Cal.Rptr. 674 (1984); *Auvil v. CBS 60 Minutes*, 800 F. Supp. 928, 931 (E.D. Wash. 1992); *Cubby, Inc. v. Compuserve, Inc.*, 776 F. Supp. 135, 139 (S.D.N.Y. 1991); *Lewis v. Time, Inc.*, 83 F.R.D. 455 (E.D. Cal. 1979). In short, rumormongers find no protection under the law. As stated by the Court in *Michael Jackson v. Paramount Pictures Corporation*, 68 Cal.App.4th 10, 80 Cal.Rptr. 2d 1 (1998):

"... when a party repeats a slanderous charge, he is equally guilty of defamation, even though he states the source of the charge and indicates that he is merely repeating a rumor. * * * A false statement is not less libelous because it is the repetition of rumor or gossip or of statements or allegations that others have made concerning the matter."

Id., at 27 (citation omitted) (emphasis added). Here, you have been identified by



Gary King
Re: Robbins Research Int'l., Inc. / Gary King
November 30, 2018
Page 4

female employees. Those statements and rumors are false and fabricated and your repeating those rumors as the source of information to *BuzzFeed* will result in significant liability against you.

Finally, it is evident that your supplying *BuzzFeed* with the false and malicious accusations regarding Mr. Robbins and RRI for publication, is intended by you to damage Mr. Robbins' brand and interfere with RRI's business relationships with its customers, venues, and vendors. Your motive is malicious and transparent. You view yourself as being in competition with RRI and Mr. Robbins, and you are engaged in a malicious effort to harm the brand and reputation of a competitor. Under the circumstances, you will be found liable for tortious interference with the business relations between Mr. Robbins and RRI and their customers, business partners, vendors, venues and others. See generally *Della Penna v. Toyota Motor Sales, U.S.A.*, 11 Cal.4th 376 (1995). Mr. Robbins and RRI need only demonstrate that your statements or actions were made with knowledge of a prospective economic relationship between Mr. Robbins and/or RRI and a third party, and your statements and/or acts were intended to interfere with or terminate those potential relationships. *Korea Supply Co. v. Lockheed Martin Corp.*, 29 Cal.4th 1134, 1153 (2003); *J.A. Savage v. Pacific Gas & Electric Co.*, 21 Cal.App.4th 434 (1994) (a cause of action for interference will lie based on defendant's intentional acts designed to induce a breach or disruption of the contractual relationship). In particular, courts have held that acts intended to interfere with ongoing business enterprises constitute interference with prospective economic advantage. See e.g., *Ernst & Ernst v. Carlson*, 247 Cal.App.2d 125 (1966) (discharged accountant's attempts to discredit former employer's handling of client account because of ongoing disagreement with former employer constitutes interference with economic relations); *Guillory v. Godfrey*, 134 Cal.App.2d 628 (1955) (defendant's disparagement of restaurant and intimidation of customers constitutes tortious interference with the pursuit of lawful business).

Here, it is evident that the false allegations and rumors regarding Mr. Robbins and RRI that you have maliciously disseminated to *BuzzFeed* and others were intended to interfere with and cause damage to Mr. Robbins' brand and the business relationships by and among Mr. Robbins and RRI and their business partners, customers, vendors, venues and other business relationships. Under the circumstances, you will be found liable for any and all damages that may be suffered by Mr. Robbins and RRI as a result of your wrongful conduct, which damages may easily be tens of millions of dollars.

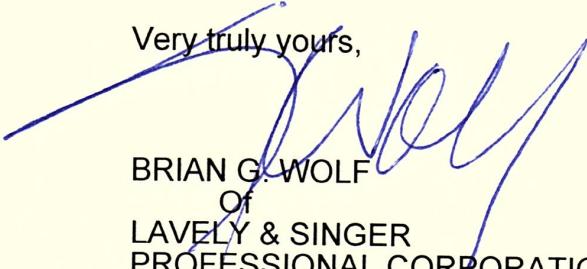
Based on the foregoing, demand is hereby made that you immediately and unequivocally inform *BuzzFeed* that (1) you are recanting and withdrawing all of the false and defamatory rumors and accusations pertaining to Mr. Robbins and RRI that you have previously provided as the source to *BuzzFeed*, (2) *BuzzFeed*

Gary King
Re: Robbins Research Int'l., Inc. / Gary King
November 30, 2018
Page 5

may not rely on you as the source for any information or statement regarding Mr. Robbins or RRI, and that (3) you immediately and permanently cease and discontinue from making any further or additional false and defamatory statements of and concerning Mr. Robbins or RRI in any manner, verbally or in writing, including without limitation in or on any publication, website, blogsite or post, social media site, Facebook post, Instagram post, Twitter post or otherwise. **Please confirm within 48 hours of your receipt of this letter that you will fully comply with aforesaid demands. Absent compliance, my office will take all action necessary and appropriate to protect and enforce our clients' rights.**

This letter is not intended to constitute a full statement of all facts and circumstances related to this matter, nor is it intended to be, nor should it be construed as, a waiver, release, or relinquishment of any rights or remedies available to our clients, whether legal or equitable, all of which are hereby expressly reserved.

Very truly yours,


BRIAN G. WOLF
Of
LAVELY & SINGER
PROFESSIONAL CORPORATION

BGW/mj